

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

951 CIVIL APPLICATION NO.11278 OF 2022  
IN FA/1708/2021 WITH CA/9110/2021 IN FA/1708/2021

DHEERAJ DAYANAND MUTHAL AND ORS  
VERSUS  
THE DIV. CONTROLLER, M.S.R.T.C., OSMANABAD AND ORS

...

Advocate for Applicants : Ingale Vivekanand V.  
Advocate for Respondent No.1 : Ms. Divya Attri h/f Mr. Anand Wagh

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**CORAM : SANDIPKUMAR C. MORE, J.**

**DATED : 18/08/2022.**

....

***P. C. :***

**IN CIVIL APPLICATION NO. 11278 OF 2022 :**

1. Heard.
2. This is an application for withdrawal of entire amount deposited by the appellant – MSRTC as per the order of this court dated 26/02/2022 i.e. 50% of the amount of impugned award along with the proportionate accrued interest.
3. The learned counsel for the applicants submits that in similar matter arising out of the same accident, the applicants herein are permitted to withdraw the amount deposited by the appellant – MSRTC. Under such circumstances, following order is passed.

**ORDER**

- A) The applicants are permitted to withdraw the entire amount deposited by the appellant – MSRTC as per the order of this

court dated 26/02/2022 alongwith accrued interest thereon till date on usual undertaking to the satisfaction of Registrar (Judicial ) of this court.

B) The application is accordingly disposed of.

**IN CIVIL APPLICATION NO.9110 OF 2021**

The appellant- MSRTC has already complied the order dated 26/02/2022 by depositing the 50% amount of the impugned award alongwith the proportionate interest thereon. As such, the stay application is made absolute in terms of prayer clause “B” during the pendency of this appeal. Accordingly, the stay application is disposed of.

**IN FIRST APPEAL NO.1708 OF 2021 :**

1. The learned counsel for the appellant submits that she would take out civil application for paper publication in respect of unserved respondent No.5.
2. Call record and proceedings.
3. In view of the same, stand over to 22/09/2022.

**( SANDIPKUMAR C. MORE, J. )**